IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 /]TH MAGHA 1928

Bail Appl..No. 432 of 2007()

Crime No.326/06 of Iritty Police Station

: PETITIONER/ACCUSED:

MR.MOHAMMED SHAFEEQ,
S/O. RASHEED KUTTY, AGED 29 YEARS,
PATTATHU MURIYIL, ERUVA P.O.,
KAYAMKULAM, ALAPPUZHA DISTRICT.

BY ADV. SRI.E.G.GORDEN

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
SUB-INSPECTOR OF POLICE,
IRITTY POLICE STATION, IRITTY,
KANNUR, REPRESENTED BY THE PUBLIC PROSECUTOR.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 432 of 2007

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Dated this the 25th day of January, 2007.

ORDER

Petitioner, who is the third accused in Crime No.326 of 2006 of Iritty Police Station for an offence punishable under Section 58 of Abkari Act for allegedly having transported 560 litres of spirit on 25.11.2006 in a Maruti Zen car of which the petitioner is the registered owner, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to give an opportunity to the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate expeditiously. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 27.1.2007 and 31.1.2007 for the purpose of interrogation and recovery incriminating of material, if any. The petitioner shall thereafter be produced before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the bail application, if any,

filed by the petitioner preferably on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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